

REMARKS

Applicants amended claims 20, 22, 26, 29, and 30; and canceled claims 21 and 28. Claims 20, 22-27, 29 and 30, of which claims 20, 26, and 30 are in independent form, are presented for examination.

Prior to this Reply, the Examiner rejected claims 20-30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,279,905 (Mansfield) in view of U.S. Patent No. 6,333,124 (Moriwaki) and U.S. Patent No. 5,945,230 (Oltman). As amended, the claims recite a method of making an anode can including attaching a second copper layer to at least a portion of a drawn anode can.

None of cited references discloses or suggests attaching a second copper layer to at least a portion of a drawn anode can in a method of making an anode can. The Examiner indicated that attachment of a second copper layer to at least a portion of a drawn anode can is an obvious matter of design choice wherein no stated problem is solved or unexpected results obtained in attaching the second copper layer. Applicants are unaware of any obligation to provide a stated solved problem or unexpected results. The burden is on the Examiner to put forth a *prima facie* showing that the cited references disclose or suggest the claimed subject matter. If the Examiner is relying on another reference to support obviousness, then Applicants request that the Examiner provide the reference so that it can be addressed.

In light of the above remarks, Applicants request that the rejection be withdrawn and the claims be passed to allowance.

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Enclosed is a Petition for Extension of Time with the required fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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